

1 BARRY J. PORTMAN
Federal Public Defender
2 MANUEL U. ARAUJO
Assistant Federal Public Defender
3 160 West Santa Clara Street, Suite 575
San Jose, CA 95113
4 Telephone: (408) 291-7753

5 Counsel for Defendant JOB HERNANDEZ

FILED

NOV 17 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOB HERNANDEZ,

15 Defendant.

No. CR-11-00494 DLJ

STIPULATION TO CONTINUE
HEARING TO NOVEMBER 22, 2011 at
9:00 a.m., and ~~PROPOSED~~ ORDER

Honorable Howard R. Lloyd

17 **STIPULATION**

18 The parties, Job Hernandez and the government, acting through their respective counsel
19 and subject to the Court's approval, stipulate that the hearing date currently set for November 18,
20 2011, be vacated and that the Court set a new hearing date on November 22, 2011, at 9:00 a.m.

21 Counsel for Mr. Hernandez has a calendar conflict and will be unavailable on November
22 18, 2011.

23 The parties further agree and stipulate for purposes of Speedy Trial Act computations
24 pursuant to Title 18, United States Code, Sections 18 U.S.C. §3161(h)(7)(A) and (B)(iv) that
25 time should be excluded from November 18, 2011 through and including November 22, 2011, to
26 provide continuity of counsel and to provide defense counsel further time to prepare.

1 Accordingly, Mr. Hernandez and the government agree that granting the requested exclusion of
2 time will serve the interest of justice and outweigh the interest of the public and the defendant in
3 a speedy trial.

4 Dated: November 16, 2011

5 /s/
6 Manuel U. Araujo,
Assistant Federal Public Defender

7 Dated: November 16, 2011

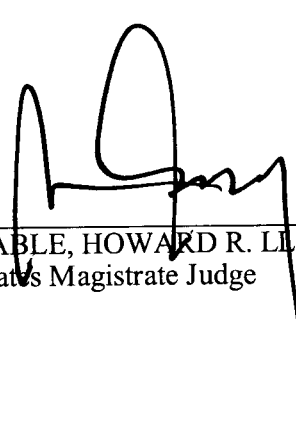
8 /s/
9 Thomas Colthurst,
Assistant United States Attorney

10
11 **[PROPOSED] ORDER**

12 WHEREFORE, based on the above, the COURT HEREBY ORDERS that the hearing
13 currently scheduled on November 18, 2011, is continued to November 22, 2011, at 9:00 a.m.,
14 and further ordered that the period of delay from time from November 18, 2011, through and
15 including November 22, 2011, is excluded for purposes of Title 18, United States Code,
16 Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

17 SO ORDERED.

18 Dated: 11/17/, 2011

19 
20 HONORABLE, HOWARD R. LLOYD,
United States Magistrate Judge